

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary
William R. Selbig, Regional Director

Shawano Office
647 Lakeland Rd.
Shawano, Wisconsin 54166
Telephone 715-524-2183
FAX 715-524-3214

February 24, 1998

COPY

Mr. John Hanlon
Schroeder Oil and Excavating
PO Box 340
Tigerton, WI 54486

Subway

Subject: Case Closure for Former Sinclair Station, 951 East Green Bay St., Shawano, WI; DNR
ID# 03-59-0558.

Dear Mr. Hanlon:

On February 9, 1998, the Department's Northeast Region Closure Committee reviewed the above case. The case was conditionally approved for closure with the requirement that a groundwater use restriction be placed on the property deed. This restriction will provide notice that the groundwater contamination that remains on the property is effectively being remediated by natural attenuation. It will also provide the restrictions that will be necessary for anyone that intends to construct a well on the property.

In order that we can proceed with the closure, I will need a copy of the deed, as filed with the county, indicating the property description and the current owner. The Department will prepare the document to be filed by the property owner.

Please send me the requested information as soon as possible. We will officially close this case when we have been notified that the restriction has been filed and all monitoring wells have been properly abandoned.

Sincerely,

Tom Sturm
Hydrogeologist
Remediation and Redevelopment Program
715-526-4230

cc: Mark Magee - STS Consultants, 1035 Kepler Dr., Green Bay, WI 54311



Quality Natural Resources Management
Through Excellent Customer Service



488877

DOCUMENT NO.

VOL 839 PAGE 365

THIS SPACE RESERVED
FOR RECORDING DATAQUIT CLAIM DEED

Kathleen J. Broder, a single person, quit-claims to Robert J. Broder, the following described real estate in Shawano County, State of Wisconsin:

Lot 10 in Block 1 of Arlington Addition, in the City of Shawano, Shawano County, Wisconsin.

REGISTERS OFFICE SS
SHAWANO COUNTY, WI
Received for Record this 24th
day of Oct A.D. 1996 at 10:30
o'clock A M. AND Recorded in Vol. 839
of Records. Pages 365
Maura Buehler Register
REGISTERS OFFICE

This is not homestead property.

The purpose of this Deed is to transfer the above-described real estate pursuant to the Judgment of Divorce dated July 16, 1996, between the above-named parties

DATED this 30 day of September, 1996.

FEE
8m
EXEMPT

Kathleen J. Broder (SEAL)
Kathleen J. Broder

ACKNOWLEDGMENT

STATE OF WISCONSIN)
)ss.
COUNTY OF SHAWANO)

Personally came before me this 30 day of September, 1996, the 30 above named Kathleen J. Broder, a single person, to me known to be the person who executed the foregoing instrument and acknowledged the same.

[Signature]
Notary Public, State of Wisconsin
My Commission Expires: 4

THIS INSTRUMENT DRAFTED BY:

510423

Document Number

GROUNDWATER USE RESTRICTION

Declaration of Restrictions

In Re: Property previously recorded in Volume 839, Page 365, Document No. 488877, Shawano County Register of Deeds, described as: Lot 10 in Block 1 of Arlington Addition, in the City of Shawano, Shawano County, Wisconsin.

STATE OF WISCONSIN)

) ss

COUNTY OF SHAWANO)

WHEREAS, Robert J. Broder is the owner of the above-described property.

WHEREAS, one or more petroleum discharges have occurred at this property. Petroleum contaminated groundwater above NR 140 enforcement standards exists on this property at the following location: Benzene exists at 250 micrograms per liter (ug/L) and Xylenes exists at 1100 micrograms per liter (ug/L) at and near extraction well, EXT-1 as indicated on Attachment 1.

WHEREAS, it is the desire and intention of the property owner to impose on the property restrictions which will make it unnecessary to conduct additional soil or groundwater remediation activities on the property at the present time.

WHEREAS, natural attenuation has been approved by the Department of Natural Resources to remediate groundwater exceeding ch. NR 140 groundwater standards within the boundaries of this property.

WHEREAS, construction of wells where the water quality exceeds the drinking water standards in ch. NR 809 is restricted by ch. NR 811 and ch. NR 812. Special well construction standards or water treatment requirements, or both, or well construction prohibitions may apply.

NOW THEREFORE, the owner hereby declares that all of the property described above is held and shall be held, conveyed or encumbered, leased, rented, used, occupied and improved subject to the following limitation and restrictions:

Anyone who proposes to construct or reconstruct a well on this property is required to contact the Department of Natural Resources' Bureau of Drinking Water and Groundwater, or its successor agency, to determine what specific prohibitions or requirements are applicable, prior to constructing or reconstructing a well on this property. No well may be constructed or reconstructed on this property unless applicable requirements are met.

This restriction is hereby declared to be a covenant running with the land and shall be fully binding upon all persons acquiring the above-described property whether by descent, devise, purchase or otherwise. This restriction benefits and is enforceable by, the Wisconsin Department of Natural Resources, its successors and assigns. The Department, its successors or assigns, may initiate proceedings at law or in equity against any person or persons who violate or are proposing to violate this covenant, to prevent the proposed violation or to recover damages for such violation.

Any person who is or becomes owner of the property described above may request that the Wisconsin Department of Natural Resources or its successor issue a determination that the restrictions set forth in this covenant are no longer required. Upon receipt of such a request, the Wisconsin Department of Natural Resources shall determine whether or not the restrictions contained herein can be extinguished. If the Department determines that the restrictions can be

REGISTERS OFFICE SS

SHAWANO COUNTY, WI

Received for Record this

day of Sept A.D. 1998 at 2:10o'clock P. M. AND Recorded In Vol. 891of Records, Pages 213 - 214Maura Buehler Registrar

REGISTERS OFFICE

Recording Area

Name and Return Address \$12,000.00
Robert J. Broder 2:10 PM
951 E. Green Bay St
Shawano, WI 54156

Parcel Identification Number (PIN)

extinguished, an affidavit, with a copy of the Department's written determination, may be recorded to give notice that this groundwater use restriction is no longer binding.

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 17 day of Sept, 1998.

Signature:

Robert Z Broder
Robert Z Broder

Subscribed and sworn to before me

this 17 day of September, 1998.

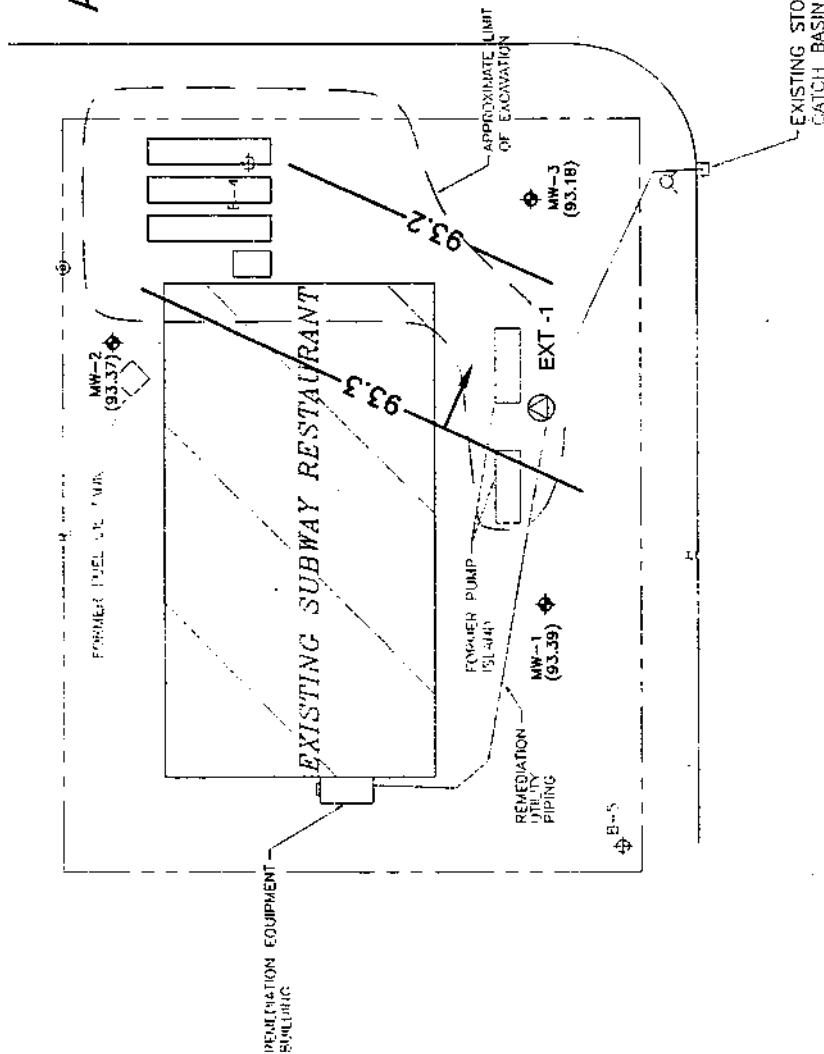
Scott A. [Signature]
Notary Public, State of Wisconsin

My commission expires 11/18/01

This document was drafted by the Wisconsin Department of Natural Resources.

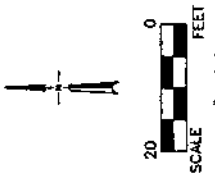
ATTACHMENT 1

GREEN BAY CT



STATE HWY 29 (GREEN BAY ST.)

NOTE: BENCH MARK TOP NUT ON
FIRE HYDRANT ELEV = 100.0
(N.W. CORNER GREEN BAY
STREET AND GREEN BAY COURT)



LEGEND

- PROPERTY LINE
- RIGHT OF WAY
- CATCH BASIN
- SANITARY SEWER AND MANHOLE
- POWER POLE
- LIGHT POLE
- FIRE HYDRANT
- SOIL BORING
- EXTRACTION WELL
- FORMER UNDERGROUND STORAGE TANK
- MONITORING WELL
- GROUNDWATER CONTOUR
- GROUNDWATER ELEVATION (FT.)
- APPROXIMATE GROUNDWATER FLOW DIRECTION

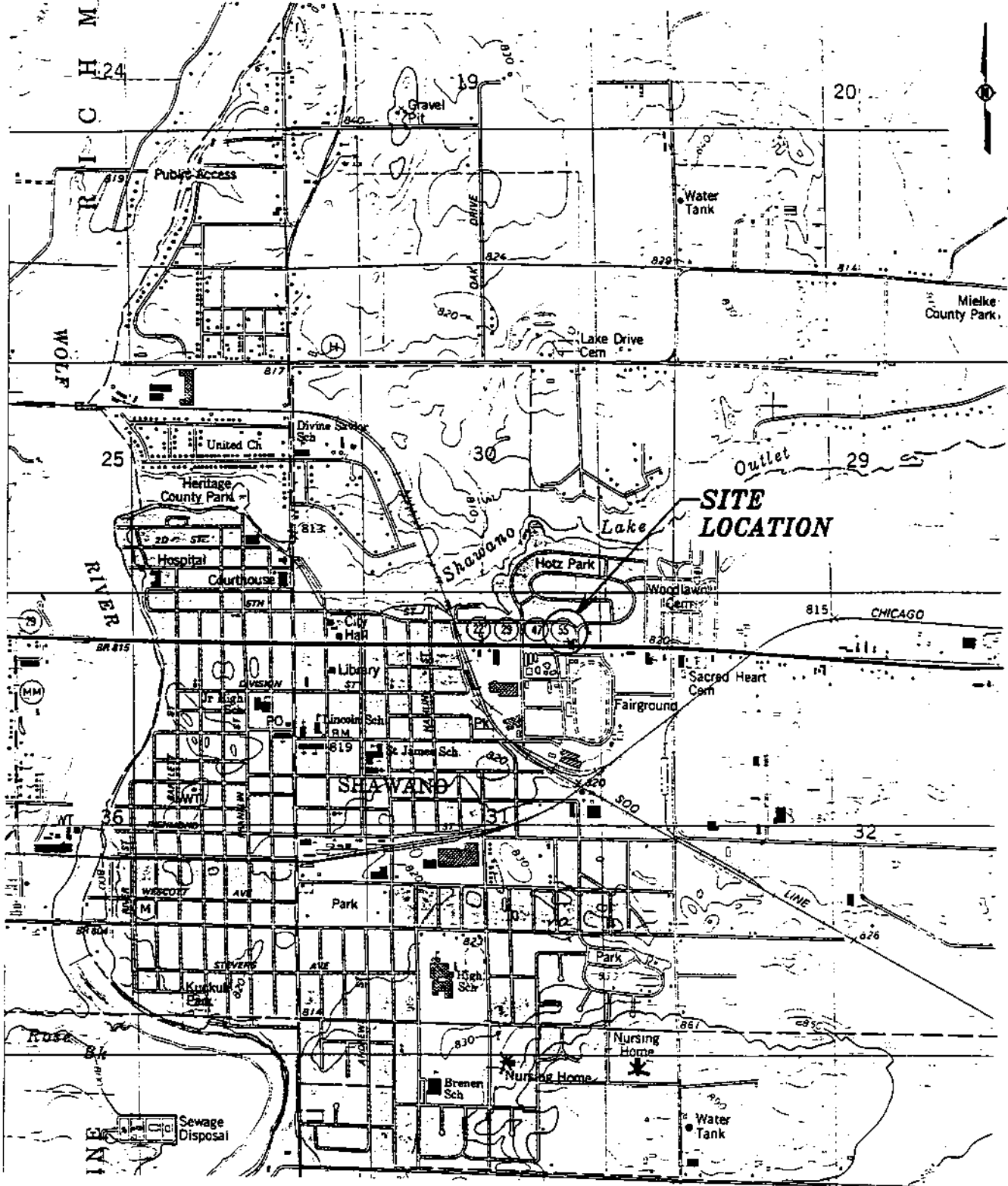
FORMER SINCLAIR SERVICE STATION
SHAWANO, WISCONSIN
SCHROEDER OIL COMPANY



PROJECT NO.
18960W
PROJECT FILE
18960W
SCALE
1" = 20'
PAGE NO.
4

DATE
11-7-97
CHECKED BY
J.R.L.
APPROVED BY
O.J.M.
DATE
11-7-97

W:\DWG97\18960\W\G4960044.DWG

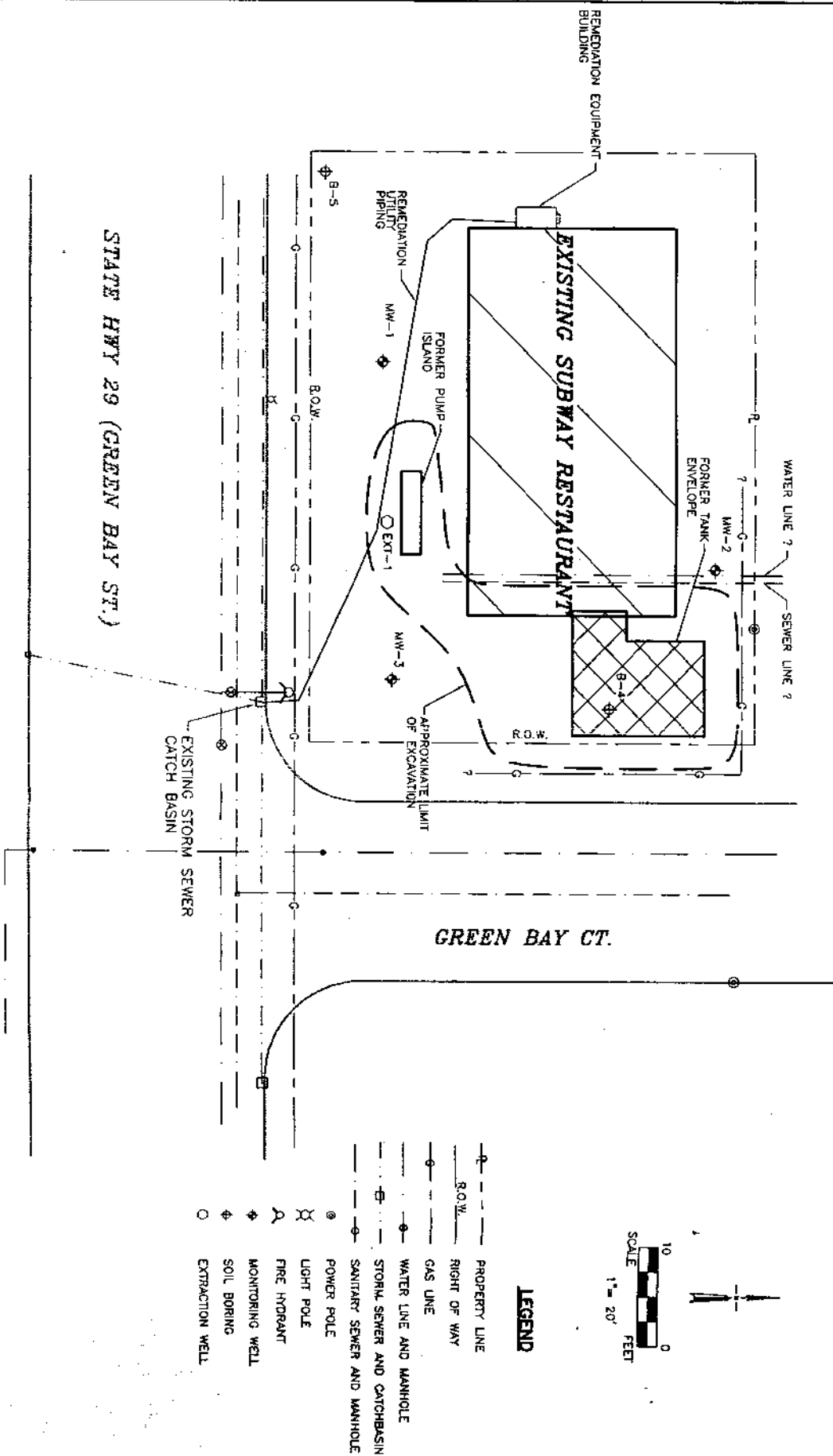


SITE LOCATION DIAGRAM
FORMER SINCLAIR SERVICE STATION
SHAWANO, WISCONSIN



STS Consultants Ltd.
Consulting Engineers

DRAWN BY	RAB	11/26/97
CHECKED BY	MWM	11/26/97
APPROVED BY		
CADFILE	G469001	SCALE 1"=2000'
STS PROJECT NO.	16960WA	FIGURE NO. 1



DRAWN BY	J.R.L.	DATE	9-30-96
CHECKED BY	D.J.M.	DATE	9-30-96
APPROVED BY		DATE	
DATE	W:\DWG96\16960\W\G4960003.DWG		

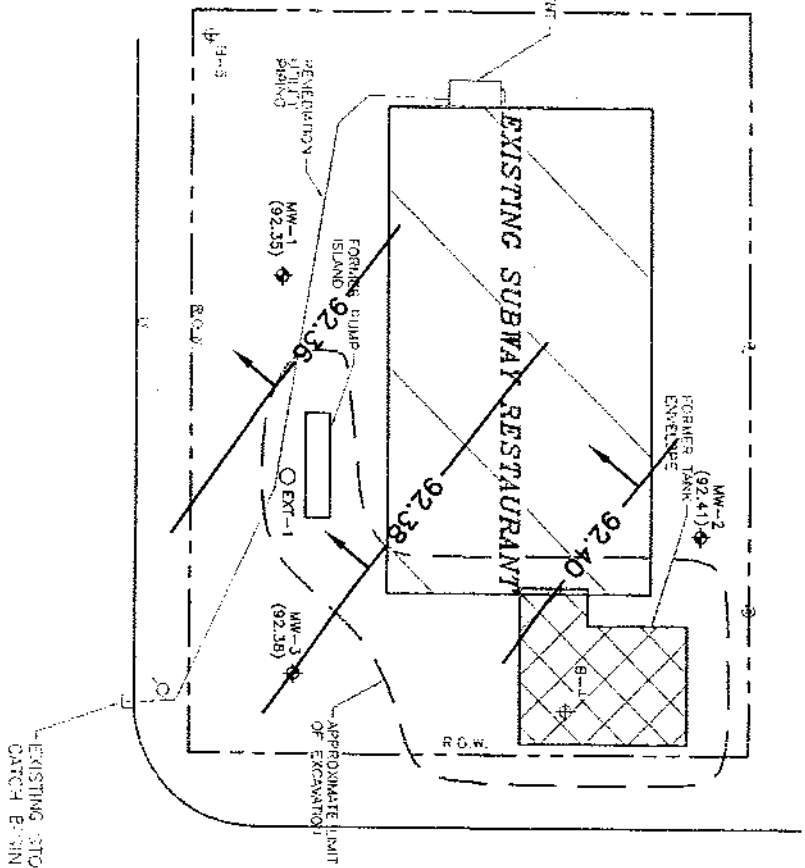


S&S Engineering, Inc.
Shawano, Wisconsin

DWG NO. 1
SCALE 1" = 20'

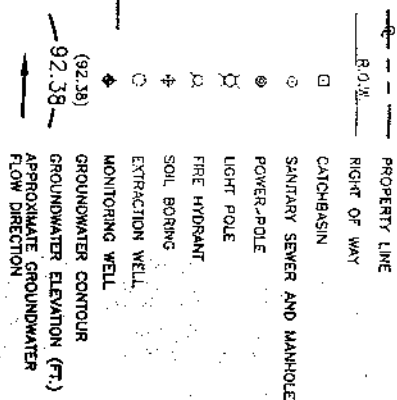
SITE DIAGRAM

REGULATION EQUIPMENT BUILDING

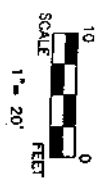


GREEN BAY CT.

NOTE: BENCH MARK TOP NUT ON FIRE HYDRANT ELEV.=100.0 (N.W. CORNER GREEN BAY STREET AND GREEN BAY COURT)



LEGEND



FORMER SINCLAIR SERVICE STATION
SHAWAND, WISCONSIN
SCHROEDER OIL COMPANY

GROUNDWATER CONTOUR MAP (9-12-96)

DATE	10-1-96
CHECKED BY	D.J.M.
APPROVED BY	J.R.L.
DATE	10-1-96
DATE	10-1-96



DATE: 10-1-96
SCALE: 1" = 20'
PROJECT NO.: 16980W
SITE PREPARED BY: J.R.L.

Table 3
Summary of Groundwater Monitoring Well Analytical Test Results
Former Sinclair Service Station
Shawano, Wisconsin

Date Sampled	Well ID	Benzene	Ethylbenzene	Toluene	Total Xylene	MTBE	1,2,4-Tri Methylbenzene	1,3,5-Tri Methylbenzene
02/21/90	MW-1	21	12	26	36	-	-	-
03/13/90		561	38	390	483	-	-	-
07/09/91		336	95.7	5.6	65.2	-	-	-
04/06/93		1.3	<1	<1	<3	<5	<1	<1
10/05/93		<1	<1	<1	<3	<5	<1	<1
07/06/94		<0.5	<1	<2	<2	<2	<1	<1
01/12/95		<0.5	<1	<2	<2	<2	<1	<1
07/26/95		<0.5	<1	<2	<2	<2	<1	<1
04/18/96		1.2	<0.6	<0.6	<1.7	5	<1.7	<0.9
07/12/96		<0.5	<0.6	<0.6	<1.7	<2.7	<1.7	<0.9
02/21/90	MW-2	<1.5	<1.5	20	<2.5	-	-	-
03/13/90		<2.2	<2	<2.7	<2.6	-	-	-
07/09/91		<0.5	<1	<0.5	<2	-	-	-
04/06/93		<1	<1	<1	<3	<5	<1	<1
10/05/93		<1	<1	<1	<3	<5	<1	<1
07/06/94		<0.5	<1	<2	<2	<2	<1	<1
01/12/95		<0.5	<1	<2	<2	<2	<1	<1
07/26/95		<0.5	<1	<2	<2	<2	<1	<1
04/18/96		<0.5	<0.6	<0.6	<1.7	<2.7	<1.7	<0.9
07/12/96		<0.5	<0.6	<0.6	<1.7	<2.7	<1.7	<0.9
02/21/90	MW-3	2.3	<1.5	1.6	2.5	-	-	-
03/13/90		<2.2	<2	<2.7	<2.6	-	-	-
07/09/91		58.9	29.8	1.2	4.04	-	-	-
04/06/93		15.6	26.9	<1	3.3	<5	15.6	<1
10/05/93		630	660	160	1870	<100	690	130
07/06/94		0.6	<1	<2	<2	<2	2.3	-
01/12/95		<0.5	<1	<2	<2	<2	<1	<1
07/26/95		<0.5	<1	<2	<2	<2	<1	<1
04/18/96		<0.5	<0.6	<0.6	<1.7	<2.7	<1.7	<0.9
07/12/96		<0.5	<0.6	<0.6	<1.7	<2.7	<1.7	<0.9
NR 140 ES *		5	700	343	620	60	NE	NE
NR 140 PAL **		0.5	140	68.6	124	12	NE	NE

- Note: 1) NE = Not Established
2) - = Not Analyzed
3) < 1 = Less Than The Laboratory Method Detection Limit
4) All results are reported in micrograms per liter (ug/l)
5) MTBE = Methyl tert butyl ether
6) * = Wisconsin Administrative Code Enforcement Standard
7) ** = Wisconsin Administrative Code Preventive Action Limit

Table 3A
Summary of Analytical Test Results on Groundwater Influent
Former Sinclair Service Station
Shawano, Wisconsin

Date Sampled	Well ID	Benzene	Ethylbenzene	Toluene	Total Xylene	MTBE	1,2,4,-Tri Methylbenzene	1,3,5,-Tri Methylbenzene
04/06/93	EXT-1	270	210	<50	820	<250	415	115
10/05/93		52	40	35	86	6.4	33	4.8
03/23/94		139	91.1	110	345.9	47	8804	13.1
07/06/94		33.7	56.7	51.2	306	3.9	74.8	15.7
10/17/94		11	17.4	14.3	19	<10	19.7	5.8
01/12/95		14.5	13.6	3.7	82	<2	21	6.4
04/27/95		19.6	14.9	9.2	82	<2	16.8	5.5
07/26/95		9	8.7	8.1	62.2	<2	15	4.3
10/15/95		25.8	28.5	9.83	97.94	2.47	23.4	5.95
04/18/96		<0.5	1.4	0.9	4.1	<2.7	6.2	<0.9
07/12/96		21	28	11	87	<2.7	47	8.2
NR 140 ES *		5	700	343	620	60	NE	NE
NR 140 PAL **		0.5	140	68.6	124	12	NE	NE

- Note: 1) NE = Not Established
2) - = Not Analyzed
3) < 1 = Less Than The Laboratory Method Detection Limit
4) All results are reported in micrograms per liter (ug/l)
5) MTBE = Methyl tert butyl ether
6) * = Wisconsin Administrative Code Enforcement Standard
7) ** = Wisconsin Administrative Code Preventive Action Limit